

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MARQUIS BAKER,	:	
Plaintiff,	:	
	:	
v.	:	Case No. 2:23-cv-1085-JDW
	:	
THE HOME DEPOT, et al.,	:	
Defendants.	:	

ORDER

AND NOW, this 19th day of April, 2023, upon consideration of Plaintiff Marquis Baker's Motion for Leave to Proceed *In Forma Pauperis* (ECF No. 1), it is **ORDERED** that the Motion is Granted and the Complaint is deemed filed.

It is **FURTHER ORDERED** that, for the reasons stated in the accompanying Memorandum, the Complaint is **DISMISSED** as follows:

1. Mr. Baker's claims under 42 U.S.C. 1983 are **DISMISSED WITH PREJUDICE** for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii); and
2. Mr. Baker's state law claims are **DISMISSED WITHOUT PREJUDICE**.

It is **FURTHER ORDERED** that Mr. Baker's Motion To Appoint Counsel (ECF No. 5) is **DENIED AS MOOT**.

It is **FURTHER ORDERED** that Defendants' Motion To Dismiss (ECF No. 6) is **DENIED AS MOOT**.

The Clerk of Court shall mark this case closed.

BY THE COURT:

/s/ Joshua D. Wolson

JOSHUA D. WOLSON, J.